


## CITY COUNCIL AGENDA REPORT

**SUBJECT:** Resolution for Transfer of Property Tax Revenue for the Estrella Subdivision & Annexation pursuant to the City & County Master Tax Sharing Agreement.

**AGENDA DATE** May 20, 2009

**PREPARED BY:** Armando G. Villa, Director of Planning & Development Services

**APPROVED FOR  
AGENDA BY:**

Ralph Velez, City Manager 

**RECOMMENDATION:** Staff recommends adoption of City Council Resolution approving the transfer of property tax revenue between the City of Calexico and the County of Imperial pursuant to the approved City & County Master Tax Sharing Agreement approved by the City Council on August 1, 2006. (Document dated July 11, 2006)

**FISCAL IMPACT:** Percentage of property tax generated by the Estrella Subdivision development will be transferred to the County of Imperial per Master Tax Sharing Agreement.

### BACKGROUND INFORMATION:

This project and associated entitlement applications including Tentative Subdivision, Annexation, and EIR were considered by the Planning Commission on October 8, 2007. Subsequently, this project was reviewed and approved by the City Council on November 20, 2007 with the adoption of City Council Resolution 2007-80.

Revenue and Taxation Code 99 requires the governing bodies of all agencies whose service areas or service responsibilities would change as a result of an annexation to negotiate and agree, by resolution, on the amount of property tax to be exchanged between and among such affected agencies prior to the effective date of an annexation.

### DISCUSSION:

This resolution is needed to finalize LAFCo proceedings for the annexation of the Estrella Subdivision into the corporate boundaries of the city of Calexico and consequently for the ultimate provision of municipal services to the project. Upon completion, LAFCo will notify the city of official annexation.

Attachments: Proposed Resolution  
Exhibit "A"(Tentative Subdivision Map)  
Exhibit "B"(Annexation Resolution No. 07-80)

Agenda Item No. \_\_\_\_

Page \_\_\_\_ Of \_\_\_\_

**RESOLUTION NO. 09-\_\_**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO APPROVING TRANSFER OF PROPERTY TAX REVENUES BETWEEN THE COUNTY OF IMPERIAL AND THE CITY OF CALEXICO FOR THE ESTRELLA SUBDIVISION & ANNEXATION.

WHEREAS, Revenue and Taxation Code Section 99 requires the governing bodies of all agencies whose service responsibilities will change as a result of an annexation, to negotiate and agree on the amount of property tax revenues to be exchanged between such affected agencies prior to the effective date of such annexation; and

WHEREAS, the County of Imperial and the City of Calexico have entered into a Master Property Tax Sharing Agreement dated July 11, 2006 for the purpose of establishing the basic rate of exchange of property tax revenues recognizing the unique nature of this annexation and the services it provides; and

WHEREAS, Revenue and Taxation Code Section 99 requires that any negotiated agreement between the governing bodies of agencies whose service areas or service responsibilities are altered by such jurisdictional change be approved by resolution of the governing body; and

WHEREAS, the total assessed value at the time of the application for annexation including improvements is \$\_\_\_\_\_.

NOW, THEREFORE BE IT RESOLVED THAT the terms of the master agreement shall apply to the City of Calexico for annexation CLX-\_\_ (Estrella) based on the above assessed value.

Passed, Approved and Adopted this 20<sup>th</sup> day of May, 2009.

\_\_\_\_\_  
Louis Fuentes, Mayor

Attest:

\_\_\_\_\_  
Lourdes Cordova, City Clerk

Approved as to Form:

\_\_\_\_\_  
Jennifer Lyon, City Attorney

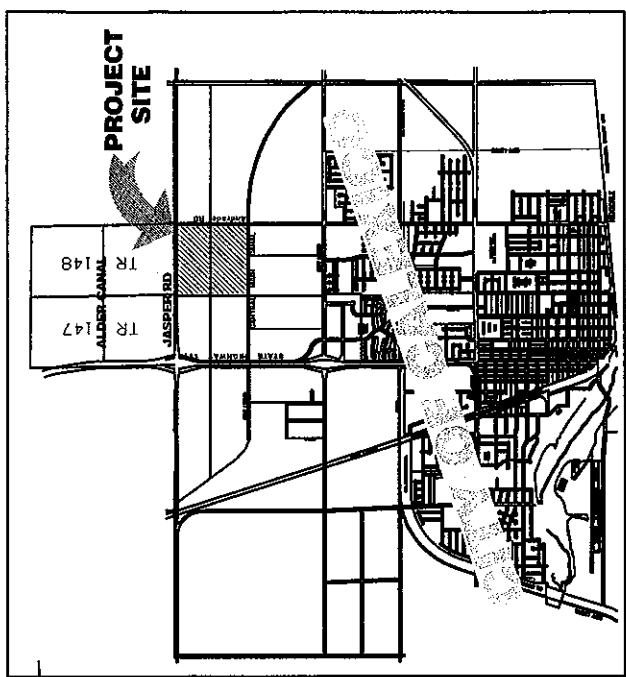
State of California     )  
County of Imperial    ) ss  
City of Calexico       )

I, Lourdes Cordova, City Clerk for the City of Calexico do hereby certify the foregoing Resolution No. 09-\_\_ was adopted by the City Council in a regular meeting held on the 20<sup>th</sup> day of May, 2009 by the following vote to-wit:

AYES:  
NOES:  
ABSENT:

\_\_\_\_\_  
Lourdes Cordova, City Clerk

# EXHIBIT "A"



**Vicinity Map**

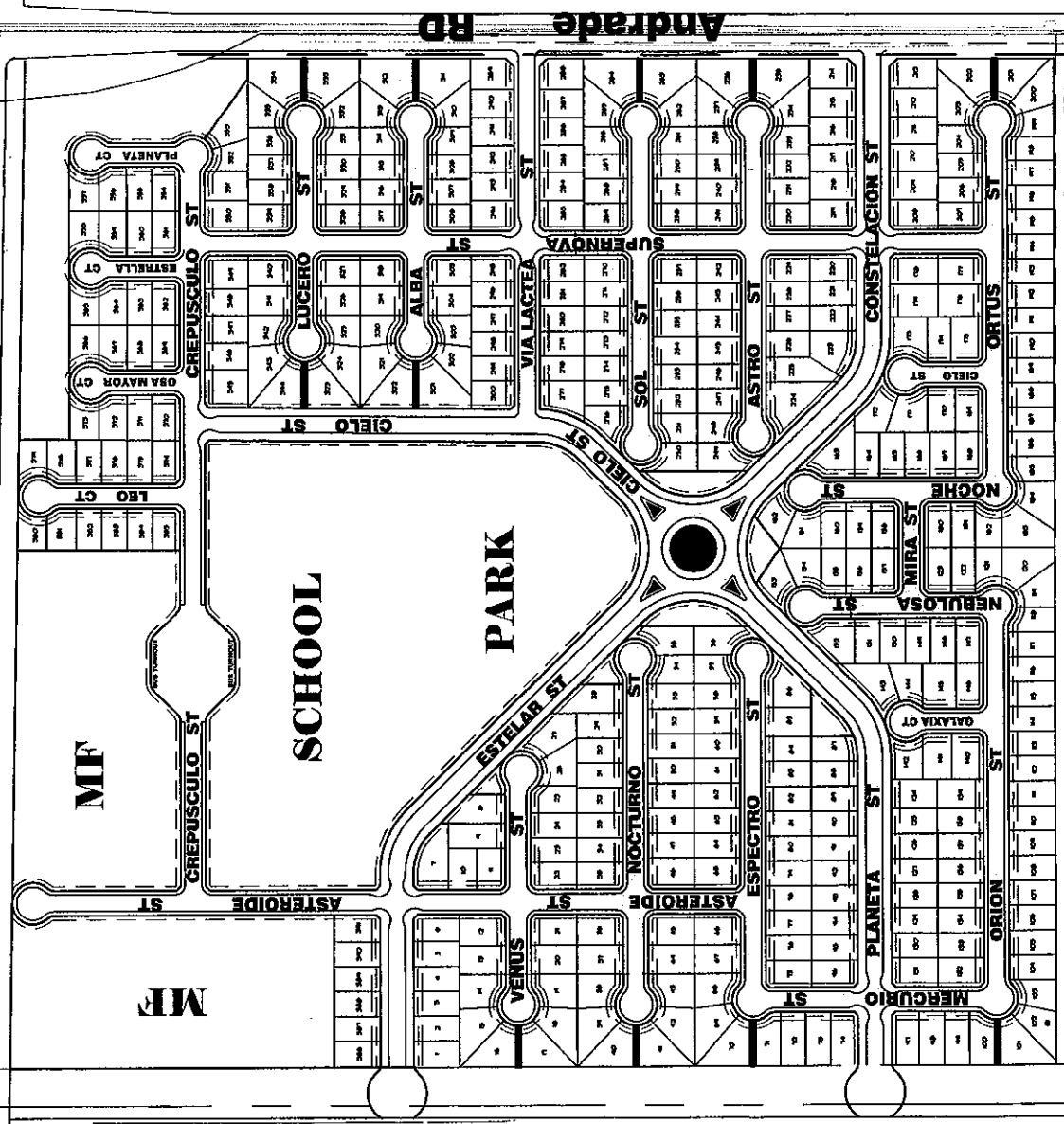
N.T.S.

Job Number: 04048  
 Date: 09.25.06  
 By: J.C.M.

Client: Westmount Properties  
 Location: Calxico, CA

## Estrella Subdivision Street Name Exhibit

JASPER ROAD



DEVELOPMENT DESIGN & ENGINEERING, INC.  
 PLANNING • CIVIL ENGINEERING • LAND SURVEYING • PROJECT MANAGEMENT  
 1122 STATE STREET  
 EL CENTRO, CALIFORNIA 92243  
 (760) 353-8110  
 FAX (760) 352-6408

# EXHIBIT "B"

## RESOLUTION NO. 07-80

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA, COMMENCING PROCEEDINGS TO ANNEX APPROXIMATELY 160 ACRES OF LAND FOR THE ESTRELLA PROJECT INTO THE CORPORATE BOUNDARIES OF THE CITY OF CALEXICO (ANNEXATION NO. 2007-04)**

WHEREAS, Westmount Properties has filed an application for the annexation of approximately 160 acres of land for the Estrella Project into the Corporate Boundaries of the City of Calexico. The Estrella Project area is bounded on the north by Jasper Road, on the east by Meadows Road (and the Alder Canal), on the south by the Central Main Canal, and on the West by the Calexico city limits; and

WHEREAS, this proposal is made pursuant to the *Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000* (Government Code Section 56000-56001); and

WHEREAS, The City of Calexico is processing a Pre-Zone (Zone Change) for the same approximate 160 acres for the Estrella project; and

WHEREAS, the City Council of the City of Calexico has been delegated with the responsibility of making decisions regarding annexations; and

WHEREAS, the Planning Commission, at a regular meeting held on October 8, 2007 held a duly noticed public hearing, and recommended to the City Council approval of the requested Annexation (Resolution No. 2007-37), and

WHEREAS, public notice of said application has been given and the City Council has considered evidence presented by the Development Services Department and other interested parties at a public hearing with respect to this item on November 20, 2007; and

WHEREAS, it is the desire of the City Council to give its consent to the commencement of annexation proceedings.

NOW THEREFORE, the City Council of the City of Calexico DOES HEREBY RESOLVE as follows:

**SECTION 1.** The City Council has considered proposed Environmental Impact Report No. 2007-04, prior to making a decision to commence proceedings to annex the subject territory. The City Council finds and determines that the Environmental Impact Report is adequate and prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) which analyzes environmental effects.

**CITY COUNCIL RESOLUTION FOR  
ANNEXATION NO. 2007-04**

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**SECTION 2.** That in accordance with the Cortese-Knox Local Government Reorganization Act of 1985, Government Code Section 57082 and the City of Calexico the following findings for the approval of the Annexation have been made as follows:

1. The proposed annexation area is contiguous to the City of Calexico and will not create pockets or islands.

*The proposed annexation area is contiguous to the northern boundaries of the City of Calexico. The project proposes reasonable extension of the city boundary area in that the annexation of the proposed area will not create any pockets or islands.*

2. The proposed annexation will not result in any adverse significant impacts on the environment.

*The project will not have a significant effect on the environment and is consistent with the City's General Plan.*

3. The proposed annexation will allow development of a well-designed project in the City.

*Staff believes the Estrella Project is well-designed and appropriate for the annexation area and City. In addition, the project, especially the commercial uses, will provide tax revenue benefits to the City.*

**SECTION 3.** The City Council of the City of Calexico hereby consents to the commencement of proceeding for Annexation No. 2007-04. This resolution and other related development entitlement resolutions shall be null and void within 24 months of adoption unless annexation and LAFCo proceedings are finalized and recorded. Additionally, this resolution and other related development entitlement resolutions shall be null and void shall LAFCo deny annexation or deems annexation application expired.

**NOW, THEREFORE,** based on the above findings, the City Council of the City of Calexico **DOES HEREBY APPROVE** Annexation No. 2007-04.

**PASSED, APPROVED AND ADOPTED,** at a regular meeting of the City Council of the City of Calexico, California, held on the 20th day of November, 2007.

CITY COUNCIL RESOLUTION FOR  
ANNEXATION NO. 2007-04  
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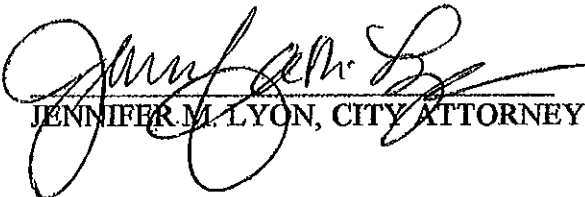
CITY OF CALEXICO

  
JOHN RENISON, MAYOR

ATTEST:

  
LOURDES CORDOVA, CITY CLERK

APPROVED AS TO FORM:

  
JENNIFER M. LYON, CITY ATTORNEY

STATE OF CALIFORNIA     )  
COUNTY OF IMPERIAL    ) SS.  
CITY OF CALEXICO         )

I, Lourdes Cordova, City Clerk of the City of Calexico, California, do hereby certify that the foregoing Resolution No. 07-80 was duly passed and adopted at a regular meeting of the City of Calexico, California held on the 20th day of November, 2007 by the following vote:

AYES:	Ouzan, Pacheco, Renison, Durazo, Fuentes
NOES:	None
ABSENT:	None
ABSTAIN:	None

(SEAL)

  
LOURDES CORDOVA, CITY CLERK

